

### **REMARKS**

In the Office Action, the Examiner rejected claims 1-76. As an initial matter, while Applicants appreciate the effort expended by the Examiner with respect to this application, Applicants do not necessarily agree with the rejections or rationale provided in the Office Action. In the interest of advancing prosecution, however, Applicants amend claims 1, 6, 10, 13, 16-19, 21, 36, 49, and 69-76 by the present Response to further clarify the claimed subject matter. Upon entry of the amendments, claims 1-76 will remain pending in the present patent application. Applicants respectfully request reconsideration of the above-referenced application in view of the foregoing amendments and the following remarks.

#### **Claim Objections**

In the Office Action, the Examiner objected to claims 69-76 for various informalities. Although Applicants do not necessarily agree with the Examiner's objections, Applicants amended claims 69-76, as set forth above, in the manner suggested by the Examiner. In view of these amendments, Applicants believe the present objection is moot. Accordingly, Applicants respectfully request withdrawal of the objection to claims 69-76.

#### **Rejections Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1-61 and 69-76 under 35 U.S.C. § 102(e) as anticipated by Dekel et al. (U.S. Patent No. 6,314,452). Applicants respectfully traverse this rejection.

#### ***Legal Precedent***

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the

claimed invention must be identically shown in a single reference. *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the identical invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

***Omitted Features of Independent Claims 1, 21, 36, 49, and 69***

Turning now to the present claims, the Dekel et al. reference fails to disclose each element of independent claims 1, 21, 36, 49, and 69. For instance, independent claim 1 recites “storing data according to a decomposition level index and tessellation block indices, wherein the decomposition level index refers to data sets generated by lossless wavelet decomposition, and the tessellation block indices refer to blocks tessellated from the data sets, *wherein the data sets form part of an image data file that is losslessly wavelet decomposed and that is stored in a compressed form on a server prior to receipt of a request from a client for data of the data sets*” (emphasis added). Applicants further note that independent claims 21, 36, 49, and 69 each similarly recite “an image data file that is losslessly wavelet decomposed and that is stored in a compressed form on a server prior to receipt of a request from a client for data of the data sets.” Because the Dekel et al. reference fails to disclose such elements, the cited reference fails to anticipate the instant claims.

The Dekel et al. reference is generally directed to the transmission of static images over communication channels. Col. 1, lines 8-14. The Dekel et al. system includes a client computer 110 for receiving image data and a server 120 for transmitting image data, which are connected to each other via communication network 130. Col. 3, line 66 – col. 4, line 16; FIG. 1. The apparatus is configured to allow client 110 to select a region

of interest (ROI) with respect to a particular set of image data and to formulate the region of interest into a request list corresponding to particular data blocks addressed by position and resolution within the larger set of data. Col. 4, lines 62-65; *see also* col. 5, lines 25-37. Notably, the Dekel et al. reference teaches the storage of *uncompressed* digital images on server 120. *See, e.g.*, col. 22, lines 38-41. The server 120 receives a request for the image from client 110 and performs a preprocessing step 801. Col. 22, lines 49-51. After this preprocessing step 801, the server 120 can transmit data requested by the client 110. Col. 22, line 53 – col. 23, line 6.

Conversely, as noted above, the present independent claims clearly recite “an image data file that is losslessly wavelet decomposed and that is *stored in a compressed form* on a server prior to receipt of a request from a client for data of the data sets” (emphasis added). Because the cited reference clearly teaches storing images in an *uncompressed* form on a server, and, in fact, teaches away from storing compressed images, the Dekel et al. reference cannot be reasonably considered to disclose the *compressed* image data file of the present claims. Because the cited reference fails to teach each and every element of the present claims, the Dekel et al. reference cannot anticipate independent claims 1, 21, 36, 49, and 69, or the claims depending therefrom.

For at least these reasons, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 102 and allowance of claims 1-61 and 69-76.

### **Rejections Under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 62-68 under 35 U.S.C. § 103(a) as unpatentable over Dekel et al. in view of Cooke, Jr. et al. (U.S. Patent No. 6,574,629). Applicants respectfully traverse this rejection.

### ***Legal Precedent***

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

### ***Deficiencies of the Rejections***

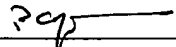
Applicants note that each of claims 62-68 depends from independent claim 49. As discussed above, the Dekel et al. reference fails to disclose each element of independent claim 49. Further, the Cooke, Jr. et al. reference does not obviate the deficiencies of the Dekel et al. reference. As a result, dependent claims 62-68 are allowable on the basis of their dependency from a respective allowable independent claim, as well as for the subject matter separately recited in these dependent claims. Accordingly, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claims 62-68.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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